

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6477

BILL NUMBER: SB 199

NOTE PREPARED: Dec 19, 2012

BILL AMENDED:

SUBJECT: Using Silencer When Hunting.

FIRST AUTHOR: Sen. Holdman

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill repeals the law that prohibits the possession or use of a silencer while in the act of hunting. It provides that a person who takes or possesses a deer or wild turkey: (1) unlawfully; (2) by illegal methods; or (3) with illegal devices; while using or possessing a silencer commits a Class C misdemeanor.

The bill also makes hunting on private land without the permission of the owner a Class B misdemeanor if the person does so while using or possessing a silencer.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues: This bill would allow appropriately licensed hunters in season to possess or hunt with a silencer while providing that a person taking a deer or turkey unlawfully while using or possessing a silencer commits a Class C misdemeanor. (This penalty provision would be subordinate to the existing penalty of a Class B misdemeanor for unlawfully taking or possessing a deer or wild turkey.) If fewer court cases occur due to the elimination of the Class C misdemeanor for legal hunters, and fewer fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would decrease. The maximum fine for a Class C misdemeanor is \$500.

The bill also adds a new penalty of unauthorized hunting on private land with a silencer, a Class B misdemeanor. (The current penalty for hunting on private land without permission of the owner or tenant is a

Class C misdemeanor.) If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000.

Any change in revenue from either provision would likely be small.

Explanation of Local Expenditures: *Penalty Provision:* A Class C misdemeanor is punishable by up to 60 days in jail. A Class B misdemeanor is punishable by up to 180 days in jail.

Explanation of Local Revenues: *Penalty Provision:* If fewer court actions occur and a fewer guilty verdicts are entered, local governments would receive a reduction in revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: DNR.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Kathy Norris, 317-234-1360.